

REC'D 10/18/07 3:40 p.m.

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

## UNITED STATES DISTRICT COURT

Southern

District of

New York

PLAINTIFF

522 W.38th St. NY LLC d/b/a BEST WESTERN  
CONVENTION CENTER.

V. DEFENDANT AND THIRD PARTY PLAINTIFF

NEW YORK HOTEL & MOTEL  
TRADES COUNCIL, AFL-CIO

### THIRD PARTY SUMMONS IN A CIVIL ACTION

Case Number: 07-Civ.-8230 (JER)

V. THIRD PARTY DEFENDANT

UNITED STAFFING GROUP LLC

To: Name and address of Third Party Defendant

UNITED STAFFING GROUP LLC  
37-09 Main Street, Suite 3B  
Flushing, New York 11354

**YOU ARE HEREBY SUMMONED** and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

Robert G. Brody, Esq.  
Brody and Associates, LLC  
67 Wall Street, Suite 2211  
New York, New York 10005

- and -

179 Post Road West  
Westport, CT 06880

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY  
(name and address)

Robert G. Brody, Esq.  
Brody and Associates, LLC  
67 Wall Street, Suite 2211  
New York, New York 10005

- and -

179 Post Road West  
Westport, CT 06880

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

DATE

OCT 15 2007